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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,910	03/26/2004	Richard J. Schneider	IGT1P315/AC037	5053
22434	7590	01/25/2008		
BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER LEE, BENJAMIN WILLIAM	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 01/25/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/813,910

Applicant(s)

SCHNEIDER, RICHARD J.

Examiner

Benjamin W. Lee

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 15, 17-29, 31-40, 42-49, 51-53, 55 and 58-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 15, 17-29, 31-40, 42-49, 51-53, 55 and 58-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. The amendment filed on 10/25/2007 has been entered. Claims 1-12, 15, 17-29, 31-40, 42-49, 51-53, 55, and 58-62 are pending in this application. Claim 54 has been cancelled. Claims 13, 14, 16, 30, 41, 50, 56, and 57 have been previously cancelled. Claims 1, 17-19, 27, 29, 38-40, 46-48, 53, and 55 have been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1, 2, 7, 12, 15, 17-19, and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US 5,496,032) in view of Lambert et al. (US 5,431,042, hereinafter Lambert).

Re claim 1: Okada discloses a system for managing a gaming hall comprising a gaming device/slot machine 15a1 containing a game to be played by a user (see col. 4, lines 12-14), a value tracker structured to track an amount of monetary value accepted into the gaming device, and to track an amount of monetary value output from the gaming device (see col. 5, lines 48-60), and a warning generating system structured to generate a warning signal based on a comparison of the monetary value accepted into the gaming device and the monetary value output from the gaming device for more than one given time period (see col. 7, lines 41-52). The monetary value comparison is calculated for more than one given time period (see Fig. 5; col. 8, line 65 - col. 9, line 5).

Okada fails to explicitly disclose that time periods of different durations may be monitored.

Lambert discloses an engine emissions analyzer that monitors engine emissions in real-time (see abstract). Lambert further discloses that time periods of different durations may be monitored (i.e. daily, weekly, monthly, etc.) (see col. 8, lines 62 - col. 9, line 10).

Therefore, in view of Lambert, it would have been obvious to one of ordinary skill in the art at the time the invention was made to monitor time periods of different durations in order track trends across different lengths of time.

Re claims 2 and 7: Okada further discloses the value tracker tracks an amount of tokens accepted into and output from the gaming device (see col. 5, lines 51-54).

Re claim 12: Okada further discloses the value tracker is structured to track jackpots/big bonus/normal bonus/small bonus (see Fig. 6; col. 10, lines 43-52).

Re claims 15, 18, and 19: The teachings of Okada and Lambert as applied to claim 1 above have been discussed.

However, Okada and Lambert fail to explicitly disclose the time period is resettable, the time period is one hour, or the time period equals a duration of a casino employee work shift. The examiner notes that Okada implies that the time interval may be different ("for example") (see col. 8, line 66 - col. 9, line 5). Lambert discloses the time period may be daily, weekly, or monthly (see col. 8, lines 65-67).

Applicant has not disclosed that making the time period resettable or altering the duration of the time period solves any stated problem or is for any particular purpose. Moreover, it appears the time period of 30 minutes disclosed by Okada would perform equally well as applicant's invention

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the time period of Okada such that the time period is resettable and the duration of the time period is altered because such a modification would have been considered a mere design consideration which fails to patentably distinguish over Okada.

Re claim 17: The teachings of Okada and Lambert as applied to claim 1 above have been discussed. Lambert implies that the time periods can operate concurrently ("For example, event counts may be displayed for each day, week, month, etc. or any *combination* of reasonable time periods. Further a daily, weekly, monthly etc. average may also be displayed", see col. 8, lines 64-68).

Re claim 21: Okada further discloses the warning signal is generated on a display screen 29 coupled to a gaming network (see Fig. 1; col. 8, lines 45-46).

Re claims 22 and 24: The teachings of Okada and Lambert as applied to claim 1 above have been discussed.

However, Okada fails to disclose the value tracker or warning generating system is resident on the gaming device.

Applicant has not disclosed that making placing the value tracker or warning generating system on the gaming device solves any stated problem or is for any particular purpose. Moreover, it appears the external value tracker and warning generating system of Okada would perform equally well as applicant's invention.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to move the value tracker and warning generating system onto the gaming device in order to reduce the number of separate devices.

Re claims 23 and 25: Okada further discloses the value tracker and warning generating system are resident on a network to which the gaming device is coupled (see Fig. 1).

6. Claims 3-6 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada and Lambert as applied to claims 2 and 7 above, and further in view of (US 5,470,079, hereinafter LeStrange).

The teachings of Okada and Lambert as applied to claims 2 and 7 above have been discussed.

However, Okada and Lambert fail to disclose tracking credits or cash equivalents transferred to or from a gaming network, a player account, a player account, a physical device, a card, a smartcard, a coupon or a ticket from or to a gaming device.

LeStrange teaches a game machine accounting and monitoring system that tracks credit cards, smart cards, or other data cards containing credit accounts (see col. 4, line 64 - col. 5, line 5).

Therefore, in view of LeStrange, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the management method for the gaming hall of Okada as modified by Lambert to include the management and accounting of cashless forms

of payment (i.e., credit cards, smart cards, and player accounts) in order to encourage more people to use the game machine by providing more convenient payment options.

7. Claims 26-29, 31, 32, 35-40, 42, and 45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of High ("Dealing With 'Outliers'").

Re claim 26: Okada discloses a gaming system comprising a gaming device/slot machine 15a1 containing a game to be played by a user (see col. 4, lines 12-14), one or more money trackers structured to track an amount of monetary value accepted into the gaming device, and to track an amount of monetary value output from the gaming device (see col. 5, lines 48-60), a data calculation system/local computer 27 coupled to the one or more money trackers, the data calculation system configured to generate a payout warning based on the amount of monetary value accepted into the gaming device and the amount of monetary value output from the gaming device (see col. 3, lines 22-30; col. 5, lines 61-63), and a warning generating system coupled to the data calculation system, the warning generating system configured to generate a warning signal responsive to the payout warning of the data calculation system (see col. 8, lines 33-44).

However, Okada fails to disclose the data calculation system is configured to exclude jackpot payouts in the amount of monetary value output from the gaming device.

High teaches that deletion (i.e. excluding) of outliers (i.e. a jackpot) is a method of dealing with outliers.

Therefore, in view of High, it would have been obvious to one of ordinary skill in the art at the time the invention was made to exclude jackpot calculations in the amount of monetary

value output from the gaming device in order to prevent the problem of bias or distortion of estimates. Jackpots are rare but expected events that severely skew the statistics. The effect of jackpot on the dataset does not correspond with its frequency of occurrence. In other words, measure of net credit flow is severely distorted by the relatively rare occurrence of a jackpot. Eliminating large deviations from calculations is an old and well known method of dealing with outliers.

Re claims 27-29: The teachings of Okada and High as applied to claim 26 above have been discussed. Okada further discloses the one or more money trackers track an amount of tokens accepted into, used by, and output from the gaming device during a time period (see col. 2, lines 39-41; col. 5, lines 51-54; col. 8, lines 49-51).

Re claims 31 and 32: The teachings of Okada and High as applied to claim 26 above have been discussed. Okada further discloses the warning signal is a visual signal on the CRT 29 (see Fig. 1; col. 8, lines 45-46) and an audible sound on the buzzer 32 (see Fig. 1; col. 5, lines 7-8).

Re claims 35 and 36: The teachings of Okada and High as applied to claim 26 above have been discussed. Okada further discloses the warning signal comprises creating a list of suspect gaming devices (see Fig. 4; col. 8, lines 61-64) and creating an entry in an event log/print out hard copies of the data (see col. 8, lines 15-21).

Re claim 37: The teachings of Okada and High as applied to claim 26 above have been discussed. Okada further discloses the warning generating system shuts down the gaming device responsive to the payout warning signal (see col. 5, lines 3-7).

Re claim 38: The input counter, output counter, and warning calculator of Okada as applied to claim 1 above have been discussed. Although Okada is silent with respect to a data transmitter coupled to the warning calculator and structured to transmit the warning signal over a communication network coupled to the gaming device, a data transmitter is believed to be inherent to the invention because the gaming machines are networked (see Fig. 1; col. 4, lines 49-54).

However, Okada fails disclose the warning calculator is structured to omit one or more transactions of monetary value generated by the gaming device when determining whether to generate the payout warning signal.

High teaches that deletion (i.e. excluding) of outliers (i.e. a jackpot) is a method of dealing with outliers.

Therefore, in view of High, it would have been obvious to one of ordinary skill in the art at the time the invention was made to exclude jackpot calculations in the amount of monetary value output from the gaming device in order to prevent the problem of bias or distortion of estimates. Jackpots are rare but expected events that severely skew the statistics. The effect of jackpot on the dataset does not correspond with its frequency of occurrence. In other words, measure of net credit flow is severely distorted by the relatively rare occurrence of a jackpot.

Eliminating large deviations from calculations is an old and well known method of dealing with outliers.

Re claims 39 and 40: The teachings of Okada and High as applied to claim 38 above have been discussed. Okada further discloses the input counter and output counter are structured to track tokens accepted into and output from a gaming device (see col. 5, lines 51-54).

Re claim 42: The teachings of Okada and by High as applied to claim 38 above have been discussed. Okada further discloses the warning calculator comprises a comparator/computer structured to compare one or more calculated values with one or more predetermined values (see col. 5, lines 61-63; col. 8, lines 25-32).

Re claim 45: The teachings of Okada and High as applied to claim 38 above have been discussed. Although Okada is silent with respect to a shutdown circuit structured to prevent gameplay when it receives the warning signal, it is believed to be inherent to the invention since the operation of the game machine may be halted by a warning signal (see col. 5, lines 5-7).

Re claim 46: The input counter, output counter, and warning calculator of Okada as modified by High as applied to claims 1 and 28 above have been discussed. Okada further discloses a warning generator (CRT 29, buzzer 32) coupled to the warning calculator structured to generate a warning signal responsive to receiving the payout warning signal (see Fig. 1; col. 5, lines 3-7; col. 8, lines 15-21).

Re claims 47 and 48: The teachings of Okada as modified by High as applied to claim 46 above have been discussed. Okada further discloses the input counter and output counter tracks tokens accepted into and output from the gaming device (see col. 5, lines 51-54).

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada and Lambert, as applied to claim 1 above, and further in view of Solomon (US 2004/0033832 A1).

The teachings of Okada and Lambert as applied to claim 1 above have been discussed.

However, Okada fails to explicitly disclose the value tracker is structured to track the amount of monetary value accepted into and output by the gaming device in real time.

Solomon discloses monitoring money instruments on a game by game basis in real time (see ¶ [0010], lines 5-8).

Therefore, in view of Solomon, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the system of Okada to function in real time in order to increase the probability of detecting problems early.

9. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada and High, as applied to claim 26 above, and further in view of Oles et al. (US 2003/0060280 A1, hereinafter Oles).

The teachings of Okada and High as applied to claim 26 above have been discussed.

Oles teaches a casino money handling system with a gaming machine networked to a control station. The link may be wired or wireless and cites the IEEE 802.11b wireless standard as an example (see ¶ [0062]). An IEEE 802.11b wireless network contains a plurality of radios monitoring the same frequency.

Therefore, in view of Oles et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the wired optical connection between the local computer and gaming machine of Okada with a wireless IEEE 802.11b wireless network in order to reduce the number of wires necessary in the system. The warning signal would be transmitted wirelessly from the local computer to the gaming machine in order to halt operation.

10. Claims 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada as modified by High as applied to claim 38 above, and further in view of Bell et al. (US 5,505,461, hereinafter Bell).

The teachings of Okada as modified by High as applied to claim 38 above have been discussed.

However, the teachings of Okada fail to disclose or fairly suggest the comparison between the monetary value generated and the monetary value accepted is a simple subtraction.

Bell discloses a method for meeting IRS reporting requirements related to an electronic gaming machine. If a user's net winnings (monetary value output less monetary value input) are above a threshold level (IRS limit), the machine is locked, a hand pay is provided, and a W2-G form is produced (see Fig. 3; col. 1, lines 59-67).

Therefore, in view of Bell, it would have been obvious to one of ordinary skill in the art to add the feature of payout warning signals based on the net payout of a machine being above a threshold amount to the system of Okada as modified by High in order to eliminate the need to prepare a W2-G form every time payout exceeds the IRS threshold.

11. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada as modified by High as applied to claim 46 above, and further in view of Bell.

The teachings of Okada as modified by High as applied to claim 46 above have been discussed.

However, the teachings of Okada as modified by High fail to disclose the warning calculator is structured to generate the payout warning signal when the monetary value generated by the gaming device during a time period less the monetary value input accepted in to the gaming device during the time period is above a threshold amount.

Bell discloses a method for meeting IRS reporting requirements related to an electronic gaming machine. If a user's net winnings (monetary value output less monetary value input) are above a threshold level (IRS limit), the machine is locked, a hand pay is provided, and a W2-G form is produced (see Fig. 3; col. 1, lines 59-67).

Therefore, in view of Bell, it would have been obvious to one of ordinary skill in the art to add the feature of payout warning signals based on the net payout of a machine being above a threshold amount to the system of Okada as modified by High in order to eliminate the need to prepare a W2-G form every time payout exceeds the IRS threshold.

12. Claims 51-53, 55, and 58-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Bell.

Re claim 51: Okada discloses a method for providing an accounting safeguard on a networked game device, comprising recording an amount of monetary value paid by the gaming device (see col. 5, lines 51-54), comparing the amount of monetary value paid by the gaming device to one or more predetermined values (see Fig. 4; col. 5, lines 61-63; col. 8, lines 25-32), and issuing a warning if the amount of monetary value paid by the gaming device exceeds the one or more predetermined values (see col. 8, lines 33-44).

Okada fails to disclose comparing the amount of monetary value paid is a simple subtraction of money in and money out and comparing that value to one or more predetermined values.

Bell discloses a method for meeting IRS reporting requirements related to an electronic gaming machine. If a user's net winnings (monetary value output less monetary value input) are above a threshold level (IRS limit), the machine is locked, a hand pay is provided, and a W2-G form is produced (see Fig. 3; col. 1, lines 59-67).

Therefore, in view of Bell, it would have been obvious to one of ordinary skill in the art to measure the net flow of credit/cash (instead of the calculations used by Okada) and compare that value to one or more predetermined thresholds in the system of Okada as modified by High in order to eliminate the need to prepare a W2-G form every time payout exceeds the IRS threshold.

Re claim 52: The teachings of Okada and Bell as applied to claim 51 above have been discussed. Okada further discloses one of the predetermined values is an amount of monetary value accepted into the gaming device (see col. 10, lines 14-24).

Re claims 53: The teachings of Okada and Bell as applied to claim 51 above have been discussed. Okada further discloses generating one or more predetermined values by tracking tokens accepted/used into the gaming device (see Fig. 2; col. 5, line 61 - col. 6, line 14).

Re claim 55: The teachings of Okada and Bell as applied to claim 51 above have been discussed. Okada further discloses recording an amount of monetary value paid by the gaming device comprises recording an amount of tokens paid by the gaming device (col. 5, lines 51-54).

Re claim 58: The teachings of Okada and Bell as applied to claim 51 above have been discussed. Okada further discloses issuing a warning if the amount of monetary value paid by the gaming device exceeds the one or more predetermined values comprises when the monetary value paid by the gaming device exceeds the highest of the one or more predetermined values, issuing a first type of warning/abnormality in red (see col. 10, lines 25-31) and when the amount of monetary value paid by the gaming device does not exceed the highest of the one or more predetermined values, but does exceed a second highest of the one or more predetermined values, issuing a second type of warning/abnormality in yellow (see col. 10, lines 25-31).

Re claim 59: The teachings of Okada and Bell as applied to claim 51 above have been discussed. Okada further discloses prohibiting a game on the gaming device from operating if the gaming device issues a warning (see col. 5, lines 3-7).

Re claim 60 and 61: The teachings of Okada and Bell as applied to claim 51 above have been discussed. Okada further discloses issuing a warning comprises a visual signal on the CRT 29 (see Fig. 1; col. 8, lines 45-46) and an event log entry/print out hard copies of the data (see col. 8, lines 15-21).

Response to Arguments

13. Applicant's arguments with respect to claims 1-12, 15, 17-29, 31-40, and 42-49 have been considered but are moot in view of the new ground(s) of rejection.

14. Applicant's arguments, see pages 17-18, filed 10/25/2007, with respect to the rejection(s) of claim(s) 51-53, 55, and 58-62 under 35 U.S.C. § 102 and 35 U.S.C. § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Okada and Bell. See rejections above.

Conclusion

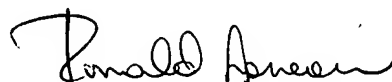
15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin W. Lee whose telephone number is 571-270-1346. The examiner can normally be reached on Mon - Fri (8:30 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BWL

Benjamin W. Lee
January 22, 2008



Ronald Laneau
Primary Examiner
Art Unit 3714

1/22/08